

**MINUTES OF THE HOUSE BUSINESS AND LABOR  
STANDING COMMITTEE**

Room 450, State Capitol, Utah State Capitol Complex  
January 27, 2009

**Members Present:** Rep. Jim Dunnigan, Chair  
Rep. Patrick Painter, Vice Chair  
Rep. Jackie Biskupski  
Rep. Steven Clark  
Rep. Susan Duckworth  
Rep. Gage Froerer  
Rep. Francis Gibson  
Rep. Neil Hansen  
Rep. Brian King  
Rep. Todd Kiser  
Rep. Michael Morley  
Rep. Brent Wallis  
Rep. Curt Webb

**Members Excused:** Rep. Kevin Garn

**Staff Present:** Allison Nicholson, Policy Analyst  
Linda Error, Committee Secretary

**Note:** List of visitors and a copy of handouts are filed with committee minutes.

Chair Dunnigan called the meeting to order at 2:04 p.m.

Members of the committee were introduced.

Allison Nicholson, policy analyst, presented an overview of the responsibilities of the committee and reviewed common committee procedures. (handout)

**H.B. 51      Exemption for Alcoholic Beverage Manufacturing License (*Rep. C. Johnson*)**

Rep. Johnson presented the bill to the committee.

Spoke to the bill: Earl Dorius, Department of Alcoholic Beverage Control

Spoke for the bill: Mark Alston, owner, The Beer Nut Inc.  
Nicole Salazar, home brewer  
Alan Sanderson, home brewer

**MOTION:** Rep. Biskupski moved to pass the bill out favorably. The motion passed

unanimously.

**H.B. 85      Mutual Benefit Corporation - Judicial Liens (*Rep. P. Painter*)**

Rep. Painter presented the bill to the committee with the assistance of Fred Finlinson, Utah Water Coalition. Rep. Painter also declared a conflict of interest and distributed a memo.

MOTION:      Rep. Gibson moved to pass the bill out favorably. The motion passed unanimously.

**H.B. 86      Division of Real Estate Related Amendments (*Rep. G. Froerer*)**

Rep. Froerer presented the bill to the committee with the assistance of Mark Steinagel, Director, Utah Division of Real Estate.

MOTION:      Rep. Froerer moved to adopt 1st Substitute H.B. 86. The motion passed unanimously.

MOTION:      Rep. Froerer moved to amend the bill as follows:

*1. Page 58, Lines 1777 through 1781:*

1777      (6) { ~~(a) The division may not make a payment from the fund to a lender who:~~  
1778      ~~—(i) makes a residential mortgage loan originated by a licensee; or~~  
1779      ~~—(ii) acquires a residential mortgage loan originated by a licensee;~~  
1780      ~~—(b) }~~    A person may not bring a claim against the fund if the person is substantially  
1781      complicit in the fraud, misrepresentation, or deceit that is the basis of the claim.

The motion to amend passed unanimously.

Spoke for the bill:      Blaine Walker, Utah Real Estate Commission  
Chris Sloan, President, Utah Association of Realtors

MOTION:      Rep. Kiser moved to pass the bill out favorably. The motion passed unanimously, with Rep. Biskupski and Rep. Clark absent for the vote.

MOTION:      Rep. Morley moved to adjourn the meeting. The motion passed unanimously, with Rep. Biskupski and Rep. Clark absent for the vote.

Rep. Dunnigan adjourned the meeting at 4:50 p.m.